

IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,

Plaintiff,

v.

ROLAND ADAMS,

Defendant.

CR. NO. 02-0257 EJG

CR. NO. 02-0560 EJG

ORDER GRANTING MOTION FOR
TRANSCRIPTS

Defendant, a federal prisoner proceeding pro se with post conviction motions, has filed a motion seeking production of transcripts of two proceedings in the above-entitled case. For the reasons that follow, the motion is GRANTED.

Indigent prisoners are entitled to free transcripts of prior proceedings when reasonably necessary for an effective defense or appeal. Britt v. North Carolina, 404 U.S. 226, 227, 92 S.Ct. 431, 433 (1971). The court, having granted defendant in forma pauperis status to proceed on appeal, and finding the transcripts reasonably necessary to assist in post-conviction proceedings, has determined that the transcripts should be copied and produced to defendant.

1 Defendant seeks transcripts of the following proceedings: an
2 evidentiary hearing on his motion to withdraw plea, held March
3 19, 2004; and judgment and sentencing, held March 11, 2005. The
4 sentencing hearing has already been transcribed and was, in fact,
5 part of the record certified to the court of appeals. The
6 evidentiary hearing on the motion to withdraw plea, reported by
7 Diamond Reporters, has not yet been transcribed.

8 The Clerk of Court is directed to photocopy the March 11,
9 2005 transcript and send it to defendant. In addition, the Clerk
10 shall serve a copy of this order on Dennis McKinnon, Official
11 Court Reporter for the Eastern District to ensure transcription
12 of the 2004 proceeding by, as well as payment therefor to,
13 Diamond Reporters. Upon completion, the transcript shall be
14 filed with the Court and the Clerk shall serve a copy on the
15 defendant.

16 IT IS SO ORDERED.

17 Dated: August 10, 2006

18 /s/ Edward J. Garcia
19 EDWARD J. GARCIA, JUDGE
20 UNITED STATES DISTRICT COURT
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